

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 STEVEN E. GREER, MD
5 an individual,

6 Plaintiff,

7 -against-

8 Dennis Mehiel, an individual, Robert
9 Serpico, an individual, The Battery Park
10 City Authority, a New York State authority,
11 Howard Milstein, an individual, Steven
12 Rossi, an individual, Janet Martin, an
13 individual, Milford Management, a New York
14 Corporation, and Mariners Cove Site B
15 Associates, a New York corporation.

16 Defendants.

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19 CONFIDENTIAL
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24 DEPOSITION OF ROBERT MICHAEL SERPICO
25 New York, New York
March 21, 2017

Reported by:
Pessi Goldstein
JOB NO. 121382

1 ROBERT M. SERPICO - CONFIDENTIAL

2 an individual resident, how often would you
3 at the BPCA level be involved with that
4 nature of leasing?

5 MR. TREMONTE: Objection to form.

6 A. I have no recollection of ever
7 being involved with that nature of leasing.

8 Q. Okay. Have you ever asked by
9 e-mail or any other way of Steve Rossi, who
10 works at Milford Management and for Howard
11 Milstein, have you ever asked Steve Rossi to
12 investigate the address of 200 Rector Place,
13 35F?

14 MR. TREMONTE: Objection to form.

15 A. May I, I don't know what you mean
16 "investigate."

17 Q. Did you tell Steve Rossi to look
18 into the rental status in whether the
19 payments were up-to-date or in arrears?

20 MR. TREMONTE: Objection to form.

21 You are permitted, by the way, to look
22 in any direction you would like.

23 A. Yes, I'm just trying to
24 recollect. The answer is I don't believe
25 so. Normally as CFO, I would be of concern

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2 to condos that are not remitting monies to
3 the Authority, but I don't believe I've ever
4 been in any meetings or --

5 Q. So you never e-mailed --

6 MR. TREMONTE: Hold on Mr. Greer,
7 you've got to let him finish his
8 answer.

9 A. My recollection is, you know,
10 there are thousands of e-mails. I don't
11 recall any. I've known Mr. Rossi a long
12 time so I don't recall an e-mail.

13 Q. So at no point do you recall in
14 the year 2013, or January or February of
15 2014, asking Steve Rossi to investigate
16 everything about 200 Rector Place, 35F,
17 including whether the tenant was ever late
18 for payment or any other issues?

19 MR. TREMONTE: Objection to form.

20 A. No, I don't recall anything like
21 that, no.

22 Q. You don't recall or you did not
23 do it?

24 A. I don't recall.

25 MR. TREMONTE: Objection to form.

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2 Q. Okay.

3 MR. TREMONTE: Just hold on a
4 second before you answer so I can lodge
5 an objection, if I have one.

6 THE WITNESS: Got you.

7 MR. TREMONTE: Thanks.

8 Q. Are you aware that I rented an
9 apartment at 200 Rector Place, 35F?

10 A. That is a Liberty building,
11 right.

12 Q. Yes?

13 A. Yes, I believe so. I didn't know
14 the apartment number but if you say it is,
15 it is.

16 Q. You're telling me that you don't
17 know what my apartment number -- okay. When
18 did you first learn that any of the
19 defendants by the name of Milford
20 Management, Steve Rossi or Mariners Cove
21 Site B or Howard Milstein would not be
22 renewing my lease for my apartment where I
23 had lived for 14 years?

24 MR. TREMONTE: Objection.

25 A. I really don't know when I

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2 learned that, I couldn't pinpoint a month or
3 week or day. I don't recall when I first
4 heard that, I just don't recall.

5 Q. Do you have, because you're
6 saying that you don't recall some things
7 that I find to be vital to what your job
8 role would have been --

9 MR. TREMONTE: Objection,
10 harassing, move to strike.

11 Q. -- I need to ask you have you
12 been diagnosed with any dementia or memory
13 problems?

14 MR. TREMONTE: Objection. I
15 instruct you not to answer that
16 harassing question. If you keep that
17 up, Mr. Greer, we're going to stop here
18 and we're going to go get a protective
19 order.

20 DR. GREER: Because he's saying
21 he does not remember and I'm asking if
22 he has any reasons to not remember.

23 MR. TREMONTE: I'm instructing
24 him not to answer the question you
25 posed.

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2 DR. GREER: Okay, very good.

3 MR. TREMONTE: If you want to ask
4 the question generally whether or not
5 he has reasons not to remember, you may
6 ask that question.

7 Q. Do you have any reasons to not
8 remember the previous question such as when
9 you learned that my lease was not being
10 renewed?

11 A. No, I'm trying to give you the
12 best honest answer I can give you.

13 Q. So you do not have any reasons
14 that you can list that would explain why you
15 do not recall?

16 MR. TREMONTE: Objection, asked
17 and answered.

18 Q. Was chairman and CEO Dennis
19 Mehriel aware of your daily meeting schedule?

20 MR. TREMONTE: Objection.

21 A. I don't know, you'd have to ask
22 him.

23 Q. If you were to make a typical
24 appointment with anybody outside of the BPCA
25 or inside of the BPCA, would that